

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

JO ANN P. KENNEDY, ET AL.	§	PLAINTIFFS/COUNTER-DEFENDANTS
	§	
V.	§	1:05-CV-685LG-RHW
	§	
JOSEPH KELLY	§	DEFENDANT/COUNTER-PLAINTIFF/ THIRD-PARTY PLAINTIFF
	§	
V.	§	
	§	
E. FOLEY RANSON, ET AL.	§	THIRD-PARTY DEFENDANTS

**ORDER GRANTING MOTION OF COUNTER-DEFENDANTS AND
THIRD-PARTY DEFENDANTS TO DISMISS
COUNTERCLAIM/THIRD PARTY CLAIM**

BEFORE THIS COURT is the Motion of the Plaintiffs/Counter-Defendants and the Third-Party Defendants to Dismiss and for Summary Judgment [7], filed in the above-captioned cause on April 13, 2006. Defendant/Counter-Plaintiff/Third-Party Plaintiff, Joseph Kelly, has not filed a response to the motion. Because Kelly has not responded to the motion, the motion to dismiss should be granted as unopposed pursuant to Rule 7.2(C)(2) of the Uniform Local Rules for the Northern and Southern Districts of Mississippi.

IT IS THEREFORE ORDERED AND ADJUDGED, that the Motion to Dismiss [7] should be and is hereby **GRANTED as unopposed**. The claims of Joseph Kelly are hereby **DISMISSED without prejudice**.

SO ORDERED AND ADJUDGED this the 29th day of June, 2006.

s/ Louis Guirola, Jr.

LOUIS GUIROLA, JR.
UNITED STATES DISTRICT JUDGE